

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

MARK R. LASKOWSKI, et al.,

Civil Action No. 5:11-CV-340
(GLS/ATB)

Plaintiffs,

v.

LIBERTY MUTUAL FIRE INS. CO.

Defendant.

DENNIS J. ARTESE, ESQ., for Plaintiffs
THOMAS J. O'CONNOR, ESQ., for Defendant

ANDREW T. BAXTER, U.S. MAGISTRATE JUDGE

ORDER

Presently before this court is defendant's motion to extend the discovery deadline to allow supplemental expert disclosures. (Dkt. Nos. 40, 42, 44). The plaintiffs have filed various letter briefs in opposition to defendant's motion and seek to preclude the additional expert evidence proffered by the defendant. (Dkt. Nos. 41, 43, 46). Based upon the written submissions of the parties and the arguments of counsel during a stenographically recorded discovery conference on February 24, 2012, and for the reasons stated by the court on the record during that conference, it is hereby:

ORDERED, that the defendant's motion to file supplemental expert disclosures (Dkt. Nos. 40, 42, 44), including a report from one new expert, is **GRANTED** and

plaintiffs' application to preclude defendant from offering the additional expert evidence is **DENIED**. And, it is further

ORDERED, that the deadline for defendant's supplemental expert disclosure is March 23, 2012, and the deadline for any rebuttal expert disclosure by plaintiffs is April 27, 2012. The deadline for completion of expert discovery is extended to May 25, 2012. The deadline for substantive motions is extended to April 27, 2012. And it is further

ORDERED, that, if plaintiffs choose to depose the new expert identified by defendant, that deposition shall be conducted in New York City and the defendant shall bear the cost of the deposition, including any fees charged by the expert. (Plaintiffs shall bear their own attorney's fees and other costs.)

Dated: February 24, 2012


Hon. Andrew T. Baxter
U.S. Magistrate Judge